



RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE

IN THE U.S. PATENT AND TRADEMARK OFFICE

September 26, 2005

Corres. and Mail

BOX AF

Applicants : Hidenari YASUI et al

For : PROCESS AND APPARATUS FOR BIOLOGICAL TREATMENT
OF AQUEOUS ORGANIC WASTES

Serial No. : 08/309 868

Group: 1761

Confirmation No.: 6704

Filed : September 21, 1994

Examiner: Becker

Atty. Docket No.: Yanagihara 28

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Sir:

Applicant hereby appeals to the Board of Appeals from the decision mailed March 30, 2005 of the Primary Examiner finally rejecting Claims 2-5, 11, 12, 15 and 16.

(Please see following page.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 26, 2005.

Respectfully submitted,



Terryence F. Chapman

09/29/2005 ZJUHA1 00000038 08309868

01 FC:1401

500.00 OP

09/29/2005 ZJUHA1 00000038 08309868

02 FC:1253

1020.00 OP

The items checked below are appropriate:

☒ A Petition and fee for extension accompany this Notice.

☒ Appeal fee:

☒ \$500.00 (large entity).

☐ \$250.00 (small entity).

Statement(s) re small entity status:

☐ Attached.

☐ Previously filed.

☒ A check for \$1,520.00 is enclosed to cover fees.

☐ Please charge the Appeal Fee of \$_____ to Deposit Account 06-1382. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

☒ An acknowledgement Postal Card is enclosed.

Respectfully submitted,

IN DUPLICATE


Terryence F. Chapman

TFC/smd

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Donald J. Wallace	Reg. No. 43	977
Kevin L. Pontius	Reg. No. 37	512
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Encl: Listed Above

150.12/04